

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DANNETTE STACKHOUSE, on behalf of §
herself and all other employees similarly §
situated, §
Plaintiffs, §
v. § Civil Action No. 8:10-cv-00421-JFB -TDT
DICK'S SPORTING GOODS, INC., §
GALYAN'S TRADING COMPANY, §
INC., EDWARD STACK, KATHRYN §
SUTTER, WILLIAM COLOMBO, JAY §
CROSSON, and LYNN URAM, §
Defendants. §

JOINT MOTION TO STAY CASE
PENDING FINALIZATION OF SETTLEMENT DOCUMENTS

Plaintiff Dannette Stackhouse (“Plaintiff”) and Defendants Dick’s Sporting Goods, Inc., Galyan’s Trading Company, LLC,¹ Edward Stack, Kathryn Sutter, William Colombo, Jay Crosson, and Lynn Uram (collectively, “Defendants”) have reached an agreement in principle to settle the claims asserted in this action and, as a result, respectfully request that this Court stay the action through January 31, 2011 to provide time for finalizing and filing formal settlement documents. Plaintiff and Defendants (together, the “Parties”) anticipate that, on or before January 31, 2011, the Parties will file (i) a stipulation with this Court to dismiss the instant action without prejudice, and (ii) formal settlement papers, including a motion for preliminary settlement approval, in a related action, *Barrus, et al. v. Dick’s Sporting Goods, Inc., et al.*, 05-

¹ Effective July 30, 2010, Galyan's Trading Company, Inc., was converted to Galyan's Trading Company, LLC.

CV-6253 (CJS) (JWF) (W.D.N.Y.), which settlement will encompass the claims asserted in the instant action.²

The Parties further request the continuation of all forthcoming case management deadlines and conferences, including deadlines related to Defendant's Motion To Dismiss Plaintiff's Amended Complaint Pursuant To Fed. R. Civ. P. 12(b)(6) (Docket No. 12) and Plaintiff's Motion To Remand To State Court (Docket No. 19). The Parties further request a stay of these and any other pending motions.

Should the Parties be unable to finalize formal settlement papers and file a stipulation of dismissal with this Court on or before January 31, 2011, the Parties will (i) meet and confer to discuss the status of the instant action, including case management deadlines, and (ii) report to this Court by February 7, 2011 on proposed case management deadlines for the events listed above.

CONCLUSION

For all the foregoing reasons, the Parties respectfully request that their Joint Motion to Stay Case Pending Finalization of Settlement Documents be granted.

² Plaintiffs are also named plaintiffs in the related *Barrus* action.

Dated: December 22, 2010

Respectfully submitted,

/s Jon Rehm

Jon Rehm
Rehm, Bennett, & Moore, P.C., L.L.O.
3701 Union Drive, Suite 200
Lincoln, Nebraska 68517
T: (402) 474-2300
F: (402) 420-1508
jonrehm@rehmlaw.com

Patrick J. Solomon
THOMAS & SOLOMON LLP
693 East Avenue
Rochester, New York 14607
T: (585) 272-0540
psolomon@theemploymentattorneys.com

Peter J. Glennon
THOMAS & SOLOMON LLP
693 East Avenue
Rochester, New York 14607
T: (585) 272-0540
pglennon@theemploymentattorneys.com

Attorneys for Plaintiff

Respectfully submitted,

/s William G. Dittrick

William G. Dittrick
Baird Holm LLP
1500 Woodmen Tower
1700 Farnam St
Omaha, Nebraska 68102-2068
Telephone: (402) 636-8205
Facsimile: (402) 344-0588
wdittrick@bairdholm.com

Matthew W. Lampe, Esq.
(admitted *pro hac vice*)
JONES DAY
222 East 41st Street
New York, New York 10017-6702
Telephone: (212) 326-3939
Facsimile: (212) 755-7306

Matthew W. Ray (admitted *pro hac vice*)
JONES DAY
2727 North Harwood Street
Dallas, Texas 75201
Telephone: (214) 220-3939
Facsimile: (214) 969-5100

Attorneys for Defendants